301.1003

UNITED STATES PATENT & TRADEMARK OFFICE

Re:

Application of:

SANDERS, Mark

Serial No .:

To Be Assigned

Filed:

Simultaneously Herewith

For:

MEDICAMENTS FOR TREATING

RESPIRATORY DISORDERS COMPRISING

FORMOTEROL AND FLUTICASONE

PRELIMINARY AMENDMENT

United States Patent and Trademark Office Assistant Commissioner for Patents Arlington, VA 22202

December 12, 2001

BOX: PCT

Sir:

Please amend the above-identified application as follows:

IN THE SPECIFICATION

Please add the enclosed abstract to the application as page number 18.

IN THE CLAIMS.

Please delete claims 30 - 33 and 35 without prejudice.

Indomest Calebo

REMARKS

Claims 1 - 29 and 34 are pending. Claims 30 - 33 and 35 have been deleted without prejudice for not being in conformity with United States Patent Law.

A favorable action on the merits is respectfully requested.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

Clifford M. Davidson Reg. No. 32,728

Davidson, Davidson & Kappel, LLC 485 Seventh Avenue, 14th Floor New York, New York 10018 (212) 736-1940

Abstract of the Disclosure

There is described a method of treating or alleviating a respiratory disorder which comprises administering an effective amount of the active ingredients formoterol, or a pharmaceutically acceptable salt thereof, and fluticasone, or a pharmaceutically acceptable ester thereof, separately, sequentially or simultaneously, provided that the active ingredients comprise separate compositions. There is also described a dry powder inhaler containing formoterol, or a pharmaceutically acceptable salt thereof, and fluticasone, or a pharmaceutically acceptable ester thereof, which may be administered separately, sequentially or simultaneously, provided that they are administered as separate compositions.